

ENVIRONMENTAL PROTECTION COMMISSION[567]

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code section 455C.19, the Environmental Protection Commission hereby amends Chapter 107, "Beverage Container Deposits," Iowa Administrative Code.

This amendment establishes criteria for awarding grants to independent redemption centers for making improvements to such centers. The grant program is the result of recently passed legislation, 2008 Iowa Acts, House File 2700, sections 78 and 88, that dedicates \$1 million from the general fund of the state to an independent redemption center grant fund for improvements to independent redemption centers in existence prior to July 1, 2008. Up to 3.5 percent of the fund can be used to pay administrative costs relating to the management of the grant program.

Notice of Intended Action was published in the Iowa Administrative Bulletin on July 30, 2008, as **ARC 7038B**. This amendment is identical to that published under Notice of Intended Action.

A public hearing was held on August 19, 2008, at which time eight persons attended and six of them spoke about their views on the proposed rule. Comments received from the public are summarized in the Responsiveness Summary which may be found at http://www.iowadnr.com/waste/recycling/files/resp_summary.pdf.

The Department finds that this amendment confers a benefit on the public, which will benefit by having independent redemption centers obtain, as quickly as possible, grant funds for improving their sustainability, convenience, and accessibility. Independent redemption centers have been operating under general financial hardship for many years, and the sooner they can institute improvements through this grant program, the sooner the public will benefit from those improvements. Therefore, this amendment is filed pursuant to Iowa Code section 17A.5(2)"b"(2), and the normal effective date of this amendment is waived.

This amendment is intended to implement 2008 Iowa Acts, House File 2700, sections 78 and 88.

This amendment became effective upon filing with the Administrative Rules Coordinator on September 10, 2008.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of this amendment [107.16] is being omitted. This amendment is identical to that published under Notice as **ARC 7038B**, IAB 7/30/08.

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[For replacement pages for IAC, see IAC Supplement 10/8/08.]